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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,416	07/23/2004	Daniel Greub	0115-044591	3939
28289 7590 12/11/2008 THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219			EXAMINER CHIEM, DINH D	
			ART UNIT 2883	PAPER NUMBER
			MAIL DATE 12/11/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/502,416	<b>Applicant(s)</b> GREUB, DANIEL	
	<b>Examiner</b> ERIN D. CHIEM	<b>Art Unit</b> 2883	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2008.  
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 17-26, 28-36 and 44 is/are pending in the application.  
 4a) Of the above claim(s) 18-26 and 33 is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 17 28-32 34 38-44 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

This office action is in response to the amendment filed on August 29, 2008. Claims 1-16, 27 and 37 are canceled, and currently claims 17, 28-32, 34-36, 38, and 44 are pending; of which claims 18-26 and 33 are withdrawn from consideration.

#### ***Claim Objections***

Claims and 36 are objected to because of the following informalities: In accordance to the figures provided in the Drawings (1/3 to 3/3), it does not appear the split sleeve has any tilting play as the amended limitation claimed. Therefore, for examination purposes, the examiner shall consider the tilting is in the entire plug structure 10. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Toshiaki Kakki (JP 64-31104).

Regarding claims 17 and 36, Kakii discloses in Figs. 1, 2, 3 and 7, a sleeve mount assembly comprising a sleeve mount having an interior for accommodating and securing a cylindrical sleeve (1) having a longitudinal slit (11), the sleeve mount assembly further

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comprising optical plug-in connections (B) for accommodating ferrules of two optical plug-in connectors introduced from opposite directions, the sleeve mount having means for securing the sleeve against rotation about a sleeve axis (2) wherein the means for securing are arranged in a central part of the sleeve mount, the sleeve mount is made up of two separate mount parts (B), and the means for securing are arranged and retained between the mount parts, the means for securing are arranged in a central part of the sleeve mount and engages in the longitudinal slit of the cylindrical sleeve (11) without projecting into the interior of the cylindrical sleeve (Fig. 3), thereby obstructing the cylindrical sleeve from rotating about the sleeve axis while allowing the cylindrical sleeve to be tilted, as shown Fig. 7 has no restricting structure surrounding the plug therefore it is able to tilt as claim. The sleeve mount is made up of two separate mount parts (B on the left side and B on the right side of Fig. 7) that are essentially mirror symmetrical in relation to the central part, and the means for securing are arranged and retained between the mount parts.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

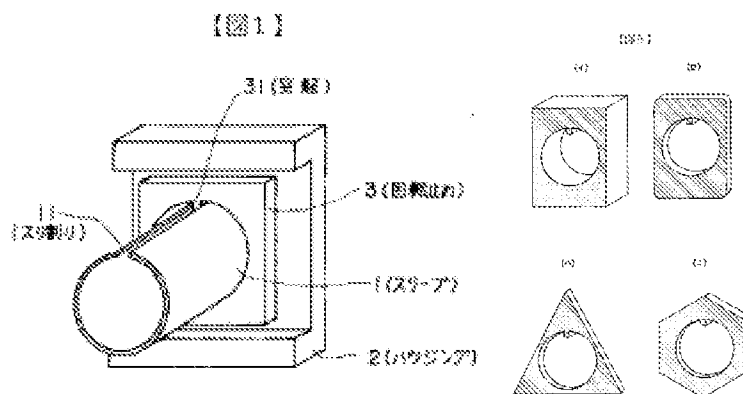
Claims 28-35 and 38-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakii in view of Ishikawa et al. (JP 5-34549).

Kakii discloses the invention of claim 17 and 36, however Kakii does not disclose:

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- A securing plate retained in a rotationally secure manner directly between the flanges and engaging the longitudinal slit of the sleeve by way of protuberance
- The securing plate and the depressions each have a peripheral contour (e.g., square)
- The protuberance engages in the slit without projecting into an interior of the sleeve.
- The sleeve mount comprises means for defining the angle of rotation (e.g., bevels) orientation provided on the securing plate and the mount parts.

Ishikawa discloses all of the elements in which Kakii does not teach in the following drawing.



It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide means alone or in combination for securing the sleeve from rotating. **The motivation** for providing securing plate is to further secure the split sleeve without having an extra split sleeve as shown by Kakii in Fig. 3 to hold the securing element (2) within the split (11). The plate, as shown by Ishikawa is produced with the protuberance and will remain flushed against the flange once the connector counter part is fitted together. Therefore, the means of preventing rotational play disclosed by Ishikawa is an improvement over the disclosure

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by Kakii since the protuberance is manufacture in the fashion which does not require an additional assembly step.

***Response to Arguments***

Applicant's arguments with respect to claims 17, 28-36, and 38-44 have been considered but are moot in view of the new ground(s) of rejection.

***.Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin D. Chiem whose telephone number is (571) 272-3102. The examiner can normally be reached on Monday - Thursday 9AM - 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Erin D Chiem/  
Examiner, Art Unit 2883

/Frank G Font/  
Supervisory Patent Examiner, Art Unit 2883

December 8, 2008  
FGF/ec